IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 14632 of 2006

DATE OF DECISION: 14.09.2006

Kulwant Singh and others ....Petitioners

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. R.K. Arora, Advocate for
for the petitioners.

J.S. Khehar, J. (oral)

The petitioners claim the benefit of increments due to them at the time of their promotion from the post of Pump Operators to the post of Technician Grade III. Despite the fact that the matter in issue has been adjudicated upon by this Court in Baldev Singh and others V. State of Punjab and others (CWP No.2604 of 2003 decided on 28.7.2005), it is submitted that the same benefit is not being extended to the petitioners. It is also pointed out that the petitioners addressed a legal notice dated 29.6.2006 (Annexure P3) to the respondents claiming the benefit of the aforesaid increments but no decision has been taken thereon till date.

Learned counsel for the petitioners states that the petitioners will be satisfied if the instant writ petition is disposed of with a direction to respondent No.3 i.e. the General Manager, Punjab Roadways, Jalandhar Depot, requiring him to take a final decision on the legal notice dated 29.6.2006 (Annexure P3).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate

General, Punjab, accepts notice on behalf of respondents No.1 to 3. Learned counsel for the respondents states that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioners.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. the General Manager, Punjab Roadways, Jalandhar, Depot, to take a final decision on the legal notice dated 29.6.2006 (Annexure P3), by passing a well reasoned speaking order within two months from the date of receipt of a certified copy of this order. It would be appreciated if respondent No.3, while passing the aforesaid order, takes into consideration the decision rendered by this Court in Baldev Singh's case (supra) as well as any other relevant judgment on the point. If the petitioners are found entitled to any monetary benefits, the same shall be calculated and released to them within a further period of one month. It is, however, clarified that arrears, if any, due to the petitioners shall be limited to a period of three years and two months from the date of filing of the instant writ petition. It is clarified that the instant writ petition was filed on 12.9.2006.

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

September 14, 2006.
vig